

CITY COUNCIL MEETING
September 9, 2014
7:00 P.M.

The Council President called the meeting to order and stated a copy of the open meeting law is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Council Members Stange, Bixby, Navarrette, Hoppe, Kuhns, Eairleywine, Johnson and Anderson present – 8 present, 0 absent.

Moved by Council Member Eairleywine, seconded by Council Member Navarrette to open the public hearing on the 2014-2015 budget. Roll call vote: 8 ayes. Motion carried.

Gregory Smith and John Wiegert requested the balance of \$1,600,000 in the illegal immigration ordinance defense and enforcement fund be returned to the taxpayers.

Moved by Council Member Kuhns, seconded by Council Member Stange to close the public hearing on the 2014-2015 budget. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Stange, seconded by Council Member Navarrette to introduce an Ordinance amending the 2014-2015 budget. Roll call vote: 8 ayes. Motion carried. The Deputy City Clerk gave the first reading, by title only. Moved by Council Member Johnson, seconded by Council Member Stange to suspend the rules and place the ordinance on final reading. Roll call vote: 8 ayes. Motion carried. The Deputy City Clerk gave the final reading, by title only. Roll call vote: 8 ayes. Ordinance 5316 passed.

Moved by Council Member Anderson, seconded by Council Member Stange to open the public hearing to set the final tax rate for 2014-2015 fiscal year. Roll call vote: 8 ayes. Motion carried.

Bob Warner questioned the process of enforcement for the illegal immigration ordinance.

Paul Payne, City Attorney, stated his department contacts companies that they are aware of for employee everify compliance.

Dale Shotkoski, City Administrator, further stated that the legal department contacts every company that the City enters into a contract with to ensure they have everified all employees. He also stated the legal department contacts businesses, as they become aware of them, for everify compliance. Mr. Shotkoski stated for the housing portion of the ordinance, the application is handled by the Police Department but that currently the City is working on transitioning that process to the Municipal Building for ease and convenience to the citizens.

Bob Warner questioned if the City goes to businesses to check for harboring and hiring and felt the cost budgeted for enforcement was high. City Administrator Shotkoski stated not at this time. He continued that legal staff time is spent working with businesses and new contracts relative to the everify portion and that police staff time is spent working to issue occupancy licenses.

Moved by Council Member Kuhns, seconded by Council Member Johnson to close the public hearing to set the final tax rate for 2014-2015 fiscal year. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Eairleywine, seconded by Council Member Navarrette to approve Resolution No. 2014-176 setting property tax request at \$4,578,946.01 for 2014-2015 fiscal year. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Stange to approve Resolution No. 2014-177 setting final City tax rate at \$0.323363/\$100 valuation for 2014-2015 fiscal year. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Navarrette, seconded by Council Member Anderson to approve the consent agenda. Roll call vote: 8 ayes with Council Member Bixby abstaining from Mainstreet beautification project at 5th & Park Streets and final plat of Brooks Hollow. Motion carried.

- Dispense with reading of and approve August 26, 2014 minutes
- August 26 – September 9, 2014 claims
- Resolution No. 2014-178 approving consumption of alcohol on city property for Jodi Benjamin, Memorial Stadium Parking Lot, October 18, 2014, homecoming tailgate; Shannon Fisher, Christensen Field, October 10, 2015, wedding
- Resolution No. 2014-179 approving GIS Maintenance and Support Service Agreement with GIS Workshop in the amount of \$7,500
- Plan Administrator Economic Development (LB840) quarterly report
- Resolution No. 2014-190 approving transfer of \$10,000 in funds from Local Option Economic Development Plan Fund to General Fund to pay Greater Fremont Development Council for services
- Resolution No. 2014-180 approving MainStreet of Fremont beautification project at 5th and Park Street
- Resolution No. 2014-181 to renew League Association of Risk Management (LARM) membership)
- Resignation of Dr. Martin Sears as the City Physician
- Resignation of Dr. Martin Sears from the Housing and Appeals Board
- Resolution No. 2014-182 approving final project acceptance of Storm Water Pumping Station project with Neuvirth Construction
- Resolution No. 2014-183 to accept and award bid to Fremont Electric in the amount of \$61,620 for basement renovations at 400 East Military
- Dirk Daubert request for outside water and sewer connection for 119 Deborah

- Resolution No. 2014-184 Community Development Block Grant 13-CR-103 extension
- Resolution No. 2014-185 approving Special Designated Permit applications for A Final Take LLC, 750 North Clamar, October 4, 2014, beer garden; DeSauce Development, 445 East 1st Suite 1, September 18, 2014, reception; Whis's End Zone Lounge, 925 North Broad, October 30, 2014, fund raiser; The Tow Line Company, 925 North Broad, October 11, 2014, reception
- Cement worker application for Efrain Sanchez and 4Star Concrete LLC
- Resolution No. 2014-186 approving promotion services agreement for up to \$10,000 with MainStreet of Fremont
- Resolution No. 2014-187 approving promotion services agreement for up to \$10,500 with Dodge County Convention and Visitors Bureau
- Resolution No. 2014-188 approving Keene Memorial Library strategic plan
- Resolution No. 2014-189 approving final plat Brooks Hollow parts Tax Lots 1 and 3 18-17-9
- Report of the Treasury
- Appointment of Kurt Pafford as Police Sergeant

The Deputy City Clerk gave the second reading, by title only, of an Ordinance pertaining to pay plan for City of Fremont governmental officers and employees. Moved by Council Member Johnson, seconded by Council Member Navarrette to suspend the rules and place on final reading. Roll call vote: 8 ayes. Motion carried. The Deputy City Clerk gave the final reading, by title only. Roll call vote: 8 ayes. Ordinance No. 5317 passed.

The Deputy City Clerk gave the second reading, by title only, of an Ordinance pertaining to pay plan for City of Fremont utility officers and employees. Moved by Council Member Anderson, seconded by Council Member Kuhns to suspend the rules and place on final reading. Roll call vote: 8 ayes. Motion carried. The Deputy City Clerk gave the final reading, by title only. Roll call vote: 8 ayes. Ordinance No. 5318 passed.

Moved by Council Member Johnson, seconded by Council Member Hoppe to introduce an Ordinance approving Deer Pointe Corporation request to rezone parts of Tax Lots 1 and 3, 18-17-9 from AG Agriculture/Urban Reserve to R-1 Single-Family Residential. Roll call vote: 7 ayes, 1 abstain (Bixby). Motion carried. The Deputy City Clerk gave the first reading, by title only. Moved by Council Member Navarrette, seconded by Council Member Stange to suspend the rules and place on final reading. Roll call vote: 7 ayes, 1 abstain (Bixby). Motion carried. The Deputy Clerk gave the final reading, by title only. Roll call vote: 7 ayes, 1 abstain (Bixby). Ordinance 5319 passed.

Moved by Council Member Anderson, seconded by Council Member Hoppe to receive and file the statement submitted by Gloria Yerger relating to the Analysis of Impediments to Fair Housing Choice study. Roll call vote: 8 ayes. Motion carried.

Moved by Council Member Johnson, seconded by Council Member Navarrette to receive and file the Analysis of Impediments to Fair Housing Choice study. Roll call vote: 8 ayes. Motion carried.

The Council President announced the next meeting would be September 30, 2014 at 7:00 p.m.

Moved by Council Member Kuhns, seconded by Council Member Anderson to adjourn the meeting. Roll call vote: 7 ayes. Motion carried. Meeting adjourned at 7:55 p.m.

I, Lynne McIntosh, the undersigned Deputy City Clerk, hereby certify that the foregoing is a true and correct copy of the proceedings had and done by the Mayor and Council; that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and available for public inspection at the office of the Clerk; that such agenda items were sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting; that such subjects were contained in said agenda at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by the members of the public; that the said minutes were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meeting and the subjects to be discussed at said meeting and that a current copy of the Nebraska Open Meetings Act was available and accessible to members of the public, posted during such meeting in the room in which such meeting was held.

Lynne McIntosh, CMC, Deputy City Clerk